

TOWN OF BARGERSVILLE PARK RULES AND REGULATIONS

Parks and other recreational areas includes, but is not limited to any lands, buildings, structures waters, parks, trails, drives and roadways in the town that are under the jurisdiction and control of the Town and the Town Parks and Recreation Department.

Table of Contents – Rules and Regulations

Section 1. Definitions

Section 2. Hours

Section 3 Noise and Conduct

Section 4 Camping

Section 5 Animals

Section 6 Sales and Solicitation

Section 7 Vandalism

Section 8 Fires and Fireworks

Section 9 Firearms and Explosive Devices

Section 10 Disposal of Rubbish, Refuse and Garbage

Section 11 Vehicles and Parking

Section 12 Alcohol, Narcotics and Sale of Alcoholic Beverages

Section 13 Park Scheduling, Permits and Fees

Section 14 Parades and Meetings in the Parks

Section 15 Prohibited Activities

Section 16 Rules and Regulations Promulgation

Section 17 Failure to Comply

Section 18 Laws & Regulations

Section 1 DEFINITIONS

1. "Camping" shall mean erecting a tent or shelter or arranging bedding, or both, or parking a recreational vehicle or other vehicle for the purpose of remaining overnight.

2. "Director" shall mean the Director of Parks and Recreation, or his/her designee.

3. "Bargersville Parks Board" shall mean the governing body of the Bargersville Parks District made up by appointed officials of the Bargersville Town Council (hereafter called the Parks Board).

4. "Motor Vehicle" means any self-propelled device capable of being moved upon a road, and in, upon, or by which any persons or property may be transported or drawn, and includes, but is not

limited to, automobiles, trucks, tractors, motorcycles, motor scooters, four-wheel drive vehicles (jeeps or similar type), golf carts, and snowmobiles, whether or not they can legally be operated upon the public highways.

5. "Park" means and includes all Bargersville parks, park drives, parkways, trails, athletic fields, play structures, play and recreation grounds or other properties within park boundaries, owned or operated by the Bargersville Parks Board.

6. "Permit": Any group or organization desiring to use park facilities for a specific purpose, shall obtain a Special Events permit before engaging in such activity, which use permit shall be issued by the Director, or his/her designee.

7. "Person" shall mean all individuals, firms, partnerships, corporations, clubs, and all associations or combinations of persons whenever acting for themselves or by an agent, servant, or employee.

8. "Special Event" shall mean a group recreation activity in a Bargersville park, sponsored or organized by an individual or organization that requires reserving park areas, planning, facilities, staffing, or other services beyond the level normally provided at a Bargersville park to ensure public welfare and safety, and facility or environmental protection.

9. "Trail" means any path or track designed for use by pedestrians, bicycles, or equestrians, and which is not of sufficient width, nor designed to permit its use by standard passenger automobiles, or other right-of-way specifically designated and posted for non-vehicular use.

Section 2 HOURS

Open to the public at dawn and close at dusk or at the conclusion of Department programming or park approved activities, whichever is later.

Section 3 NOISE AND CONDUCT

This section is to ensure the public can use the parks without undue disturbance and to ensure neighbors are not unnecessarily disturbed.

(A) No person shall use profane or abusive language, or conduct oneself in a disorderly manner.

(B) No person shall engage in any activity that has been deemed potentially hazardous to public safety or park property or incompatible with park property use as designated and posted by the Department of Parks and Recreation

(C) No person shall use a powered public address system, amplified speaker system or other such equipment at a volume which emits sound beyond the immediate individual that may disturb other park users without written permission of the Department of Parks and Recreation. Portable radios and music players are permitted, provided they shall not be operated at a volume or in any manner which unreasonably disturbs the peace of others.

(D) Amplified music or public address systems in the parks shall make written application to the Department of Parks and Recreation in advance of the proposed use.

PROHIBITED PERSONS

Individuals listed on State of Indiana Sex Offender Registry published and disseminated by the Indiana Criminal Justice Institute are prohibited from all parks and other recreational areas of the town.

Section 4 CAMPING

No person shall erect or maintain a tent or other shelter, or otherwise camp within any park or other recreational area without express written permission of the Department of Parks and Recreation.

Section 5 ANIMALS

- (a) Protection of Animals – No person shall pursue, injure, or endanger in any way or remove any wildlife on or upon Park property, except with written permission of the Department
- (b) Hunting or Trapping – No person shall hunt or trap in or on, or bring any device for hunting or trapping into or onto Park property, except with written permission of the Department
- (c) Trespassing Animals - Any animals straying into, running at large, unattended or trespassing on Park property, may be impounded and if not reclaimed and the costs thereof, including any damages caused by such animals, paid for by the owners.
- (d) Horseback riding – No person shall ride, lead or drive a horse, mule or donkey on any Park property except with written permission of the Department
- (e) Pets -All dogs, cats or other animals shall be properly restrained when on Park property. Such animals are properly restrained when secured by a leash or lead and under the physical control of the animal's owner or attending party
- (f) No person shall bring any pet into a park or other recreational area in the town unless the person shall continuously supervise such pet, including preventing or promptly repairing any damages caused by the pet and picking-up and disposing of any excrement dropped by the pet upon any park property. All pets are to be secured by a leash or lead and under the physical control of the animal's owner or attending party

Section 6 SALES AND SOLICITATION

- (a) No person shall sell, offer for sale, or barter any goods, wares or merchandise of any kind without first having obtained written consent from the Department.
- (b) Distribution or posting of signs, brochures, notices or any other written material may not be affixed to any tree, shrub, fence railing, post or structure within any park without prior written permission from the Department of Parks and Recreation.

Section 7 VANDALISM

(A) No person shall damage, deface, remove or otherwise alter any sign, structure, fixture or other improvement in any park or other recreational area in the town. The signs, structures, fixtures or other improvements shall include, but not be limited to, any drive, roadway, walk, path, trail, bridge, wall, monument, statue, fountain, grill, table, bench, fence, gate, building, pool and recreational equipment.

(B) No person shall climb any tree or walk, stand or sit upon monuments, vases, fountains, railing, fences or upon any other property not designated or customarily used for such purposes.

DISTRURBING, INJURING OR REMOVING WILDLIFE AND VEGETATION PROHIBITED

(A) Preservation of Natural Resources

- a. No person shall remove any soil, rock, stones, trees shrubs, plants or any other natural resources from any Park.
- b. No person shall harvest, damage, cut, carve, transplant or otherwise disturb or damage any plant, flower, bush, tree or other vegetation growing in any park or other recreational area except in accord with a specific permit issued by the Department of Parks and Recreation.
- c. No person shall attach any rope or cable or other contrivance to any tree, fence, railing, bridge, bench or other structure.

(B) Dealing with vegetation and natural material

- a. It is strictly prohibited for any person to knowingly plant, deposit cultivate, place or remove within any park any vegetation or seed therefrom, except in accord with a specific permit issued by the Department of Parks and Recreation.
- b. It is strictly prohibited for any person to displace, excavate, carry away, or otherwise remove or modify the arrangement of any soil, sand, gravel, stone rock, asphalt, or other ground surface material within any Park, except in accord with a specific permit issued by the Department of Parks and Recreation.

(C) Protection of Wildlife

- a. No person shall harass, hurt, trap, injure, remove or otherwise disturb any wildlife located in any park or other recreational area in the town without the express written permission of the Town Council. The term **WILDLIFE** shall mean any wild

mammal, bird, reptile, amphibian, mollusk, crustacean or other wild animal or any part, product, egg, offspring or the dead body or parts of the wild animal.

Section 8 FIRES AND FIREWORKS

- (a) Fire - No person shall use or build a fire on Park property for any purpose. This section shall not be construed to prohibit the use of grills or portable stoves in such place and manner as not to create a hazard.
- (b) Fireworks - Discharging of fireworks is prohibited in any park, trail or property owned or maintained by the Department.

Section 9 FIREARMS AND EXPLOSIVE DEVICES

- (a) Except when acting in self-defense, as that term is defined under state law, no person shall discharge a firearm within any park property, park facility on any trail.
- (b) Crossbow, bow and arrows, spear, spear gun, harpoon, BB guns, air or gas weapon or any device capable of injuring or killing any person or animal, or damaging or destroying any public or private property are strictly prohibited in any park. This prohibition does not prohibit the possession/use of the following items in the following situation:
 - a. Kitchen utensils customarily used for food preparation or dining
 - b. Knives, hatchets or axes used on wood, kindling or other material brought into a park by scouts or other groups upon written permission from the Department
 - c. Firework displays by a group permitted by the Department and the Bargersville Fire Department.

Section 10 DISPOSAL OF RUBBISH, REFUSE AND GARBAGE

No person shall take into, carry through or put into any park or other recreation area any rubbish, refuse, garbage or other material except any refuse or garbage resulting from properly using the parks and recreation areas which shall be deposited in receptacles provided. Where receptacles or adequate receptacles are not provided, all such rubbish or waste shall be carried away from the park or recreation area by the person responsible for its presence and disposed of elsewhere.

Section 11 VEHICLES AND PARKING

- (a) Use of motorized vehicles
 - a. Use of trucks, cars, motorbikes, motor-scooters, motorcycles, mini-bikes, go-carts and any other form of motorized vehicles upon Park property may be restricted, prohibited, or regulated, in any manner deemed necessary by the Department
- (b) Overnight Parking

- a. No person shall park, leave standing, or abandon a vehicle in any park after closing time, except with written permission from the Department of Parks and Recreation
- b. Any vehicle found parked in violation of this section may be towed at the owner's or operator's expense.

BICYCLE/PEDESTRIAN TRAIL RESTRICTIONS

- (a) Trails are open to the public at dawn and close at dusk or at the conclusion of Department Parks and Recreation programming or park approved activities, whichever is later.
- (b) No person shall operate any motorized vehicle, including golf carts, motorized bicycle, motorized skateboard or other similar device upon any trail designed for bicycle/pedestrian use in the town, except persons with a disability, as defined by the American with Disabilities Act, being 42 U.S.C. §§ 12101 et seq., who may operate the specialized motorized equipment designed for their transportation. Motorized vehicles owned and operated by the town and/or its contractors and subcontractors are permitted on any trail designed for bicycle/pedestrian use within town, when doing work for the town or providing a service for the town.
- (c) No person shall ride or allow any horse on any trail designed for bicycle/pedestrian use or in any park or other recreational area in the town unless approved by the Department of Parks and Recreation
- (d) No person shall ride a bicycle at an excessive speed or engage in any racing activity upon any trail designed for bicycle/pedestrian use in the town unless participating in a Parks and Recreation Department approved or sponsored function. In-line skaters, skate boarders and bicyclists shall yield to pedestrians. Bicyclists shall yield to all trail users not on bicycles.

Section 12 ALCOHOL, NARCOTICS AND SALE OF ALCOHOLIC BEVERAGES

- (a) Intoxication – No person shall be allowed on Park property in a state of intoxication caused by the person's use of alcohol or a controlled substance
- (b) Possession and Consumption – No person shall possess, bring up on or consume any alcoholic beverages or controlled substance on Park property, except as permitted in Subsection (c).
- (c) Sale of Alcoholic Beverages – Notwithstanding the preceding paragraphs, a person or entity shall be allowed to dispense, serve or consume alcoholic beverages on Park property at special events recognized by the Department of Recreation and for which a permit has been approved and issued for such event and purposes. Such permit shall only be issued upon proof by the applicant of the existence of adequate insurance coverage required by its liquor license and state law and naming the Town of Bargersville as additional insures on such certificate of insurance.

TOBACCO AND E-CIGARETTES

The use of tobacco products including cigarettes, e-cigarettes and vaping is prohibited on all Park property.

SECTION 13 PARK SCHEDULING, PERMITS AND FEES

Any person or group renting shelters, fields, or other parks and recreation amenities shall conform to the Department of Parks and Recreation published fees, rules and regulations.

SECTION 14 PARADES AND MEETINGS IN THE PARKS

No person shall use any Park property for conducting or taking part in any parade or in any meeting of any organization without a permit issued by the Department. Chantanqua Assembly shall be granted such permit as required by law and subject to regulations of the Board.

SECTION 15 PROHIBITED ACTIVITIES

Activities listed as follows are prohibited within all parks and other recreational areas in the town:

- (a) Parking vehicles on grass
- (b) Littering
- (c) Use of metal detectors on any Park property is strictly prohibited, except in accord with a permit issued by the Department.
- (d) No person shall drive golf balls or golf on Park property
- (e) Practice archery
- (f) Other games or activities which may be hazardous to others

SECTION 16 RULES AND REGULATIONS PROMULGATION

The Parks Board or its designee shall have the power to promulgate or adopt additional reasonable rules and regulations for operation, a management and use of parks. Such rules shall be posted in a conspicuous place in the respective park or area.

SECTION 17 FAILURE TO COMPLY

Failure to comply with these rules and regulations, or with any other federal, state or local law, rule or regulation applicable under the circumstances, shall subject the person so failing to submit to ejection from any park, and possible prosecution by the civil authority having jurisdiction.

SECTION 18 LAWS AND REGULATIONS

Bargersville Park's rules and regulations are designed to be consistent with federal, state or local law, rule or regulation. Any park rule or regulation that is inconsistent with federal, state or local law or found to be otherwise void shall not affect the application of all other valid park rules and regulations. Park patrons are ultimately responsible to ensure that their conduct is within the law of whichever civil authority has jurisdiction, regardless of compliance with Bargersville Park's rules and regulations.

ADOPTED BY ORDINANCE 2023-06 on March 21, 2023.